

NOTICE OF A REGULAR MEETING BRENHAM PLANNING AND ZONING COMMISSION MONDAY, MARCH 25, 2019 AT 5:15 P.M. SECOND FLOOR CITY HALL COUNCIL CHAMBERS 200 W. VULCAN BRENHAM, TEXAS

- 1. Call Meeting to Order
- 2. Public Comments

[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]

3. Reports and Announcements

CONSENT AGENDA

4. Statutory Consent Agenda

The Statutory Consent Agenda includes non-controversial and routine items that the Commission may act on with one single vote. A Commissioner may pull any item from the Consent Agenda in order that the Commission discuss and act upon it individually as part of the Regular Agenda.

- 4-a. Minutes from the February 25, 2019 Planning and Zoning Commission Meeting
- 4-b. Minutes from the March 18, 2019 Special Planning and Zoning Commission Meeting

REGULAR AGENDA

- 5. Public Hearing, Discussion and Possible Action on Case No. P-19-007: A request by Blinn College for a Specific Use Permit to allow an Educational Institution (Colleges and Universities) in a B-1 Local Business/Residential Mixed Use Zoning District on approximately 43.387 acres at 405 S. Saeger Street, described as Block 1, Lot 1, Blinn College Saeger Street Subdivision, in Brenham, Washington County, Texas.
- 6. Discussion and Update on the Proposed Sign Ordinance Revisions.
- 7. Adjourn

CERTIFICATION

I certify that a copy of the March 25, 2019, agenda of items to be considered by the Planning & Zoning Commission was posted to the City Hall bulletin board at 200 W. Vulcan, Brenham, Texas on March 21, 2019, at 3:45 pm.

Kim Hodds
Kim L. Hodde, Planning Technician

am/pm.	I certify that the attached noti removed by me from the C	ice and agenda of items to be City Hall bulletin board on	e considered by the Planning and the day of	Zoning Commission was, 2019 at
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CITY OF BRENHAM PLANNING AND ZONING COMMISSION MINUTES

March 18, 2019

The meeting minutes herein are a summarization of meeting proceedings, not a verbatim transcription.

A special joint meeting (Training) with the Board of Adjustment and Planning and Zoning Commission was held on March 18, 2019 at 5:30 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

BOA Commissioners present:

Arlen Thielemann Walt Edmunds (alternate) Johanna Fatheree (alternate) MaLisa Hampton Jon Hodde Thomas Painter Mary Lou Winkelmann

P & Z Commissioner present:

M. Keith Behrens Dr. Deanna Alfred Leroy Jefferson Calvin Kossie Nancy Low Lynnette Sheffield Marcus L. Wamble

Commissioners absent:

Jarvis Van Dyke (BOA)

City Councilmembers present:

Susan Cantey Keith Herring Clint Kolby Albert Wright

Staff present:

Lori Sanguedolce, Development Services Director Stephanie Doland, Assistant Development Services Director James Fisher, City Manager Lowell Ogle, Assistant City Manager Kim Hodde, Planning Technician

Citizens present:

Kimberley Mickelson, JD, AICP (Speaker)

1. Call Meeting to Order

Chairman Thielemann called the Board of Adjustment meeting to order at 5:32 p.m. with a quorum of five (5) Commissioners present.

Chairman Behrens called the Planning and Zoning Commission meeting to order at 5:32 p.m. with a quorum of seven (7) Commissioners present.

2. Public Comments

There were no public comments.

WORKSHOP AGENDA

3. The Planning and Zoning Commission and Board of Adjustment will enter into a Training Session by Kimberley Mickelson, JD, AICP

Stephanie Doland introduced the speaker, Kim Mickelson, who is the Assistant City Attorney for the City of Houston, immediate past President of the TX APA, and an adjunct professor at Texas A&M. Ms. Mickelson discussed part of her presentation entitled "Planning and Zoning Basics" that included topics such as:

- Basic land use planning principles
- Ethics and planning
- What do consider when making a decision
- Duties and responsibilities of Board members and Commissioners

A copy of the presentation is on file in the Development Services Department. Since Ms. Mickelson was not able to discuss the entire presentation in the allotted time frame, the BOA and P&Z Commission members invited Ms. Mickelson to continue her training presentation at a later date.

4. Adjourn

Chairman Thielemann adjourned the BOA meeting at 6:50 pm.

The Chair and Vice Chair of the Planning and Zoning Commission had to leave early; therefore, Secretary Sheffield adjourned the Planning and Zoning Commission meeting at 6:50 pm.

The City of Brenham appreciates the participation of Commissioners in this decision-making process.	our citizens, and the role	of the Planning and Zoning
Certification of Meeting Minutes:		
Planning and Zoning Commission	M. Keith Behrens Chairman	March 25, 2019 Meeting Date
Attest	Kim Hodde Staff Secretary	March 25, 2019 Meeting Date

CITY OF BRENHAM PLANNING AND ZONING COMMISSION MINUTES February 25, 2019

The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.

A regular meeting of the Brenham Planning and Zoning Commission was held on February 25, 2019 at 5:15 pm in the Brenham Municipal Building, City Council Chambers, at 200 West Vulcan Street, Brenham, Texas.

Commissioners present:

Keith Behrens, Chairman Deanna Alfred, Vice Chair Leroy Jefferson Calvin Kossie Nancy Low Lynnette Sheffield Marcus Wamble

Commissioners absent:

None

Staff present:

Lori Sanguedolce, City Engineer/Director of Development Services Stephanie Doland, Assistant Director of Development Services Kim Hodde, Planning Technician

Citizens present:

Gregg Appel John Hermann Pat Johnson Mark Rodriguez Cherie Kieke-Lester Steve M. Jasinski Herbert Miles Brandon Marth Lori Walker Samantha Ullrich-Medve Danny & Barbara Ross Joni Johnson-Daniel

1. Call Meeting to Order

Chairman Behrens called the meeting to order at 5:15 pm with a quorum of seven (7) Commissioners present.

2. Public Comments

There were no public comments.

3. Reports and Announcements

Stephanie Doland reminded the Board members of the upcoming joint meeting with the Board of Adjustment, City Council on February 28th at 11:00 am. She also stated that the next Open House to solicit comments for the Comprehensive Plan will be held on February 28, 2019 at 6:30 pm at the Barnhill Center. She urged everyone to invite as many people as possible.

CONSENT AGENDA

4. Statutory Consent Agenda

The Statutory Agenda includes non-controversial and routine items that the Commission may act on with one single vote. A Commissioner may pull any item from the Consent Agenda in order that the Commission discuss and act upon it individually as part of the Regular Agenda.

- 4-a. Minutes from the January 28, 2019 Planning and Zoning Commission Workshop Meeting
- 4-b Minutes from the January 28, 2019 Planning and Zoning Commission Meeting
- 4-c Minutes from the February 18, 2019 Planning and Zoning Commission Workshop Meeting

Chairman Behrens asked for any corrections or additions to the minutes as presented. A motion was made by Commissioner Alfred and seconded by Commissioner Sheffield to approve the minutes from the January 28, 2019 workshop meeting, the January 28, 2019 regular meeting, and the February 18, 2019 workshop meeting, as presented. The motion carried unanimously.

REGULAR MEETING

5. Discussion and Possible Action on Case No. P-19-001: A City initiated request to amend the City of Brenham's Code of Ordinances to adopt, Appendix A: Zoning, Part II, Division 1, Section 18 – Exterior Construction Materials for Selected Districts, to prohibit metal façades on residential uses and accessory structures over 120 square feet in area, located in the R-1, R-2, R-3 and B-1 zoning.

Since this item was tabled at the last meeting, a motion was made by Commissioner Kossie and seconded by Commissioner Wamble to allow discussion and possible action concerning Case No. P-19-001. The motion carried unanimously.

Stephanie Doland presented the staff report for Case No. P-19-001 (on file in the Development Services Department). The initial request being from citizen, Susanna Leonard who complained that the metal homes are changing the aesthetics of the neighborhood. Additional research has been done based on the comments from the Commissioners at the January 28, 2019 regular meeting and February 18, 2019 workshop meeting.

Staff recommends the following text amendment:

- Minimum 75% non-metal façade on exterior wall surfaces facing the right-of-way
- Minimum 50% non-metal façade on exterior wall surfaces not facing the right-of-way
- Non-metal façade shall mean brick or brick veneer, stone or stone veneer, stucco, wood, vinyl, or fiber-cement siding
 or for this section wood or fiber-cement like exterior or finish will be considered non-metal facade
- Shall apply to the R-1: Residential Single Family, R-2: Mixed Residential, and B-1: Local Business/Residential Mixed Use District
- Property less than 1-acre in size containing accessory structures 160 square feet or greater in area shall be constructed with at least 50% non-metal façade on each wall or elevation, excluding windows and doors.

Chairman Behrens asked if anyone in the audience wanted to speak regarding this item. Several citizen comments were made including but not limited to the following:

- Brandon Marth, owner of Brenham Iron Works, does not agree with 25% of structure being able to be metal façade
 nor does he agree with total prohibition of metal façade. He stated that there are unlimited ways to use the metal.
- Danny Ross, 701 S. Chappell Hill Street, stated his opposition for metal homes, specifically dislike for the look of the metal buildings.
- Barbara Ross, 701 S. Chappell Hill Street, stated her opposition for the metal homes
- Joni Johnson-Daniels, 201 Hampshire, stated that she is down the street from the metal home addressed as 308 Hampshire Drive. With this home being a rental unit, as well as other rental units in the neighborhood, the cul-desac has turned into a "parking lot" and the renters don't maintain their properties to the same level as homeowners...
- Samantha Ullrich-Medve stated that she is the owner/developer of the metal homes. She stated that she bought these lots from the City of Brenham and her main reason for building these homes are for affordable housing. She said that home on Hampshire is a 3-bedroom, 2-bath, new home that rents for \$1,000/month. Similar homes in the Stylecraft Subdivision near the high school rent for \$1,400-\$1,500/month. She further stated that these homes go above and beyond Brenham's code requirements. She stated that the cities that were looked at when considering this metal exterior ordinance are not comparable to Brenham. She stated that the benefits of metal are durability and low-maintenance. She doesn't know why residential is being restricted when commercial metal buildings are allowed.

In response to questions, Ms. Doland stated that

- The affordable housing issue has been raised in many of the Comprehensive Plan discussion meetings. This subject is more detailed than the Comprehensive Plan typically provides but it is being considered in the context of housing needs such as affordable housing, the need for compatible infill development, and architectural standards.
- Navasota is looking at adopting an ordinance as well. We are trying to write an ordinance for today's issues. It is a challenge to predict what may happen in the future; however, we are looking to preserve the existing neighborhoods.
- The proposed definition of non-metal façade is meant to include current and future exterior building materials that are similar to the visual aspects of hardie-board.

A motion was made by Commissioner Jefferson and seconded by Commissioner Kossie to accept staff's recommendation but to lower the percentages to require a minimum of 50% non-metal façade on exterior walls facing the right-of-way, a minimum of 25% non-metal façade on the sides, and no requirement on the rear side on residential uses located in the R-1, R-2, R-3 and B-1 zoning, as presented. Chairman Behrens commented that he did not like the accessory structures being included. Chairman Jefferson and several other Commissioners agreed.

Commissioner Jefferson amended his original motion and Commissioner Kossie seconded this amended motion to approve a recommendation to City Council to amend the City of Brenham's Code of Ordinances to adopt, Appendix A: Zoning, Part II, Division 1, Section 18 – Exterior Construction Materials for Selected Districts, to require a minimum of 50% non-metal façade on exterior walls facing the right-of-way, a minimum of 25% non-metal façade on the sides, and no requirement on the rear side on residential uses located in the R-1, R-2, R-3 and B-1 zoning. This will not apply to accessory structures. Commissioner Sheffield abstained from voting. The motion carried.

There will be a public hearing on this item at the City Council meeting on March 21, 2019.

6. Public Hearing, Discussion and Possible Action on Case No. P-19-006: A request by John Hermann and Gregg Appel for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from Mixed Residential Use District (R-2) to Commercial Research and Technology Use District (B-2) on a 2.539-acre tract of land described as part of the John Long Survey, A-156, in Brenham, Washington County, Texas.

Stephanie Doland presented the staff report for Case No. P-19-006 (on file in the Development Services Department). She stated that this request is very similar to the request considered at the last meeting. The applicant is requesting the rezoning for consistency of zoning for this tract.

Staff did not receive any citizen/property owner comments for or against this rezoning request.

Chairman Behrens opened the Public Hearing at 6:25 pm and asked for any comments. There were no citizen comments.

Chairman Behrens closed the Public Hearing at 6:26 pm and re-opened the Regular Session.

A motion was made by Commissioner Sheffield and seconded by Commissioner Alfred to approve the request by John Hermann and Gregg Appel for an Amendment to the City of Brenham's Official Zoning Map of the Code of Ordinances to change the zoning from Mixed Residential Use District (R-2) to Commercial Research and Technology Use District (B-2) on a 2.539-acre tract of land described as part of the John Long Survey, Abstract 156, as presented. The motion carried unanimously.

7. Adjourn

A motion was made by Commissioner Low and seconded by Commissioner Kossie to adjourn the meeting at 6:26 pm. The motion carried unanimously.

The City of Brenham appreciates the participation of our citizens, and the role of the Planning and Zoning Commissioners in this decision-making process.

Certification of Meeting Minutes:		
Planning and Zoning Commission	M. Keith Behrens Chairman	March 25, 2019 Meeting Date
Attest	Kim Hodde Staff Secretary	March 25, 2019 Meeting Date

City of Brenham
Planning and Zoning Commission
Staff Report
March 25, 2019



CASE NUMBER P-19-007 SPECIFIC USE PERMIT REQUEST – 405 S. Saeger Street

STAFF CONTACT: Stephanie Doland, Assistant Director of Development Services

OWNERS/APPLICANTS: Richard O'Malley on behalf of Blinn College

ADDRESS/LOCATION: 405 S. Saeger Street / Located south of Old Mill Creek Road, west of S.

Saeger Street, north of Robert C. Appel Drive and east of 1409 Old Mill

Creek Drive (Exhibit A).

LEGAL DESCRIPTION: Block 1, Lot 1 of the Blinn College Saeger Street Subdivision

LOT AREA: Approximately 43.387 acres

ZONING DISTRICT/USE: B-1 Local Business/Residential Mixed Use / Vacant (Exhibit B)

FUTURE LAND USE: Single-Family

REQUEST: A request for a Specific Use Permit to allow an Educational Institution

(Colleges and Universities) in a B-1 Local Business/Residential Mixed Use

Zoning District (Exhibit C and D).

BACKGROUND:

The subject property is currently zoned as B-1, Local Business/Residential Mixed Use Zoning District, which allows an educational institution with prior approval of a Specific Use Permit (SUP). The property owner/applicant, Richard O'Malley on behalf of Blinn College, has requested this SUP for the development of an agricultural complex including a 6,000 square foot building planned to include a livestock demonstration room, tack room, preparation room, farrowing house, livestock pens, and covered pavilion.

ANALYSIS OF CITY OF BRENHAM ZONING POLICIES:

The purpose of zoning policies is to provide guidelines for considering future amendments to the zoning ordinance (Part 1, Section 4 of Appendix A – "Zoning" of the Brenham Code of Ordinances). They are as follows:

(1) The city's zoning should recognize and seek to preserve the small town attributes that make Brenham a special place for its citizens to live, work and play.

The 43+ acre tract of land is primarily vacant, with the northernmost five acres currently developed with the Blinn College Park Apartments. The subject property is located at the intersection of Old Mill Creek road, South Saeger Street and Robert C. Appel Drive. The property is primarily adjacent

to public right-of-way, with the exception of adjacent property to the west being zoned B-1, Local Business Mixed District and developed with the Rankin Agricultural Complex. The applicant is requesting a SUP to allow an Educational Institution use on the property. Approval of the proposed SUP request would allow Blinn College to develop the tract of land with additional educational buildings and uses related to the College. Blinn College is the owner of adjacent property to the east and west of the subject tract and approval of the proposed SUP would be in keeping with the development pattern in the general vicinity.

(2) The city's zoning should be guided by the future land use plan and other applicable guidelines found in the Comprehensive Plan.

The future land use map portion of the Envision 2020 Comprehensive Plan suggests the subject property may be appropriate for single-family uses. However, the Comprehensive Plan also includes land use policies to help guide land use decisions. Specifically the Comprehensive Plan discusses the eventual development of Saeger Street and suggests that appropriate adjacent land uses include, single-family, multiple-family and institutional uses. Staff finds that the proposed request aligns with the goals and land use polices established in the Comprehensive Plan.

(3) The city's zoning should be designed to facilitate the more efficient use of existing and future city services and utility systems in accordance with the Comprehensive Plan.

The subject property currently has access to public utilities for the Blinn College Creek Apartments and existing utility services are located along adjacent right-of-ways and can be extended to serve additional development.

(4) The city's zoning should be organized and as straight forward as possible to minimize use problems and enforcement problems.

The proposed SUP, if approved, will be reflected on the City of Brenham zoning map available for citizen viewing on the City of Brenham homepage.

(5) The city's zoning process should be fair and equitable, giving all citizens adequate information and opportunity to be heard prior to adoption of zoning amendments.

Property owners within 200 feet of the project site were mailed notifications of this request on March 14, 2019. The Notice of Public Hearing was published in the Brenham Banner on March 14, 2019. Any public comments submitted to staff will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

(6) The city's zoning should insure that adequate open space is preserved as residential and commercial development and redevelopment occur.

If approved, the property will be required to adhere to minimum building setbacks and maximum impervious coverage requirements for property zoned B-1, Local Business/Residential Mixed Use. The applicant has submitted a site plan (Exhibit E) which depicts the proposed location of the improvements, associated parking spaces, and access. Staff finds that the site development requirements will ensure that adequate open space is preserved on the subject property.

(7) The city's zoning should insure Brenham's attractiveness for the future location of business and housing by preserving an attractive and safe community environment in order to enhance the quality

of life for all of its residents.

Staff believes that the requested land use is appropriate in this location given adjacent zoning designations, existing development in the vicinity, and conformance with the City's adopted Comprehensive Plan.

(8) The city's zoning ordinance should preserve neighborhood culture by retaining and promoting land uses consistent with the community's plan for the development and/or redevelopment of its neighborhoods.

Approval of the proposed use of will allow the subject property to develop in a similar manner to property in the general vicinity. The subject tract of land is located in the vicinity of many public or institutional uses, including Blinn College and the Prairie Lea Cemetery. Properties to the west and northwest, across Old Mill Creek Road, are developed for single-family residences and to the north is zoned for or is developed with multiple-family housing. Staff finds that the proposed development and use of an educational institution is compatible to nearby land uses and consistent with the land use policies established in the Comprehensive Plan.

(9) The city's zoning should protect existing and future residential neighborhoods from encroachment by incompatible uses.

Staff finds that approval of the proposed SUP and development of the property as a College will promote the orderly and healthful development of the community. Staff is unable to discern any factors related to this request that will adversely affect health, safety, morals, or general welfare of properties in the general vicinity or the community in general.

(10) The city's zoning should assist in stabilizing property values by limiting or prohibiting the development of incompatible land uses or uses of land or structures which negatively impact adjoining properties.

Staff believes that the proposed development will have a positive effect on the surrounding area and will be compatible with anticipated uses surrounding this property and will be in accordance with the land use policies of Brenham's Comprehensive Plan. Staff is unable to determine any destabilizing effects on the neighboring properties should this specific use permit request be approved.

(11) The city's zoning should make adequate provisions for a range of commercial uses in existing and future locations that are best suited to serve neighborhood, community and regional markets.

If approved, the proposed SUP will allow additional development of Blinn College and related uses. Vacant commercial property is located along Old Mill Creek to the east and west of the subject tract. Staff believes that the proposed SUP, if approved, will not negatively affect vacant land classified for commercial uses.

(12) The city's zoning should give reasonable accommodation to legally existing incompatible uses, but it should be fashioned in such a way that over time, problem areas will experience orderly change through redevelopment that gradually replaces the nonconforming uses.

The property is partially developed with the Blinn College Creek Apartments, a use allowed by-right in the B-1, Local Business Mixed District. The remaining property is vacant, and staff is not aware of

any hindrances on the property created by legally existing incompatible uses. The applicant's request will allow the subject property to develop in a compatible, legally conforming manner.

(13) The city's zoning should provide for orderly growth and development throughout the city.

Staff finds approval of the proposed SUP will allow for the orderly growth and development in the general vicinity and throughout the city.

STAFF RECOMMENDATION:

Staff recommends **approval** of a Specific Use Permit to allow an educational institution in a B-1 Local Business/Residential Mixed Used Zoning District for the subject 43.387 acre tract of land.

EXHIBITS:

- A. Aerial Map
- B. Zoning Map
- C. SUP Application
- D. Cover Letter to the Commission
- E. Proposed Site Plan
- F. Site photos

EXHIBIT "A" AERIAL MAP



EXHIBIT "B"
ZONING MAP

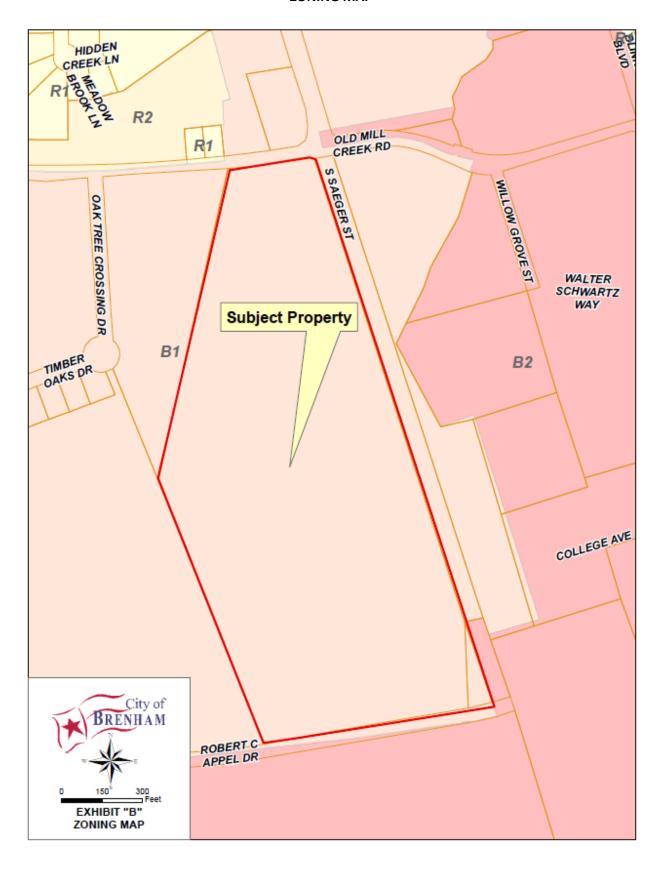
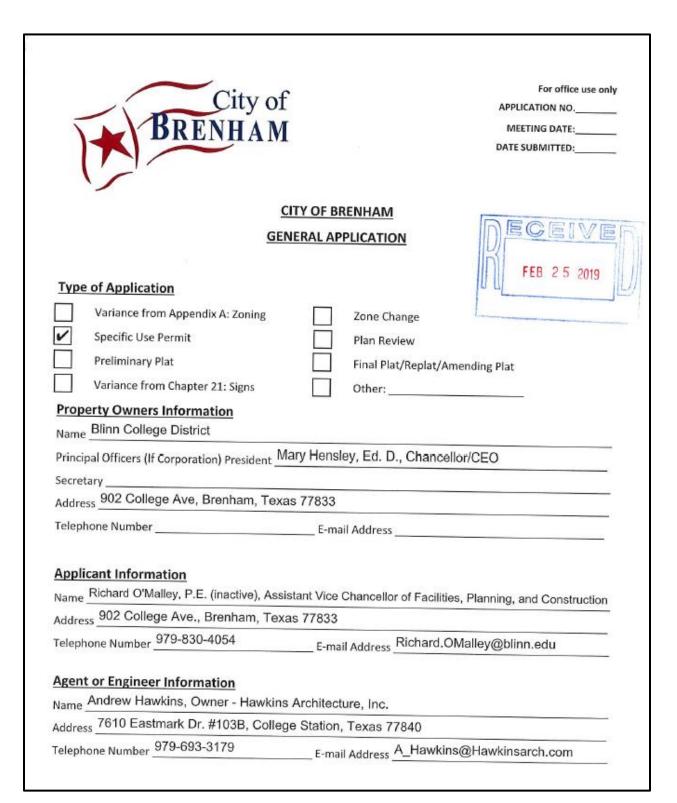


EXHIBIT "C" SUP APPLICATION



Location of Property
Street Address: 1409 Old Mill Creek Rd., Brenham, Texas 77833
Legal Description (attach metes and bounds description if not subdivided):
Subdivision: Blinn College Saeger St. Block(s): 1 Lot(s): 1a
Zoning Information
Existing Zoning: B-1
Proposed Zoning: B-1 with Specific Use
Reasons for requesting zone change:* Per the City of Brenham, Code of Ordinance, Appendix A - Zoning,
Part II - District Regulations, Division 2 - Zoning, District Regulations, Section 3.03, 3, (c)
a Specific Use is required to allow College and University use within a B-1 district
Variance Information
Section of Code from which variance is described:*
Describe variance requested:*
Reasons for requesting variance:*
Proposed Property Use
Describe in detail the proposed operation at this location:*
The proposed New Agriculture Building for the Blinn College District will provide an instructional
environment for livestock demonstration. The proposed facility will include a livestock demonstration room
tack room, prep. room, farrowing house, livestock pens, and a covered pavilion with livestock chute.
Construction Value \$1,500,000
Site plans are required for variance, special use, and plan review requests; please see Ordinance No. 0-05- 007 for minimum site plan requirements.
Richard O'Malley, being the owner (or authorized agent) of the above described
property, do hereby certify the information set forth above is true and correct. I further request that the Planning & Zoning Commission/Board of Adjustments/Plan Review Committee review this matter and take
appropriate action.
(, 5×00a)
Owner
Agent

EXHIBIT "D" COVER LETTER TO THE COMMISSION



February 20, 2019

Richard O'Malley, P.E. (inactive)
Assistant Vice Chancellor of Facilities, Planning, and Construction
Blinn College District
902 College Ave.
Brenham, Texas 77833

Planning and Zoning Commission City of Brenham 200 W. Vulcan Brenham, Texas 77833

Re: Specific Use Permit

Blinn College District - New Agriculture Building

Dear Planning and Zoning Commission,

The Blinn College District is proposing to building a new 6,000 square foot Agriculture Building on our 30 acre parcel of land located South the Blinn College Park Apartments and the Rankin Agriculture Complex. This facility will be used for instructional purposes and will include a livestock demonstration room, a tack room, a preparation room, a farrowing house, livestock pens, and a covered pavilion with livestock chute.

During planning and an initial meeting with the city of Brenham, it was identified that the project site is currently zoned B-1 Local Business/Residential Mixed Use District, which allows for College and University usage through a Specific Use. Therefore, Blinn College District is requesting that the City of Brenham Planning and Zoning Commission consider a Specific Use for College usage at 1409 Old Mill Creek Rd., Block 1, Lot 1A of the Blinn College Saeger St. Subdivision.

Richard O'Malley, P.E. (inactive)

Assistant Vice Chancellor of Facilities, Planning, and Construction

EXHIBIT "E" PROPOSED SITE PLAN

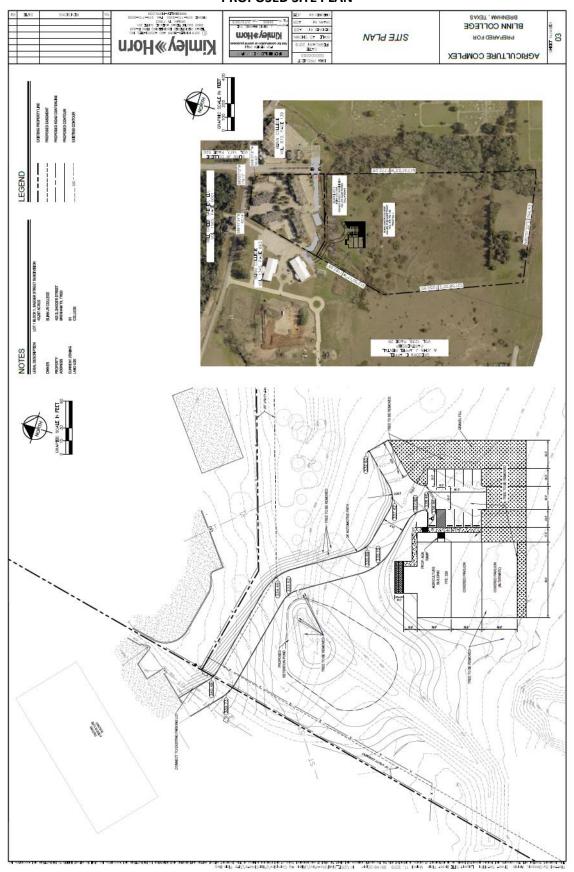


EXHIBIT "F" SITE PHOTOS





